

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 99, “Wild Turkey Fall Hunting by Residents,” Iowa Administrative Code.

Rule 571—99.11(481A) gives the regulations for hunting wild turkeys during the fall and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and method of take, and transportation tag requirements.

The amendments clarify the language that defines who is eligible for free landowner-tenant licenses to make the requirements for the turkey season the same as those for the deer season.

Notice of Intended Action was published in the Iowa Administrative Bulletin on April 9, 2008, as **ARC 6696B**. A public hearing was held on April 29, 2008, and no comments were received. No written comments were received. No changes have been made to the Notice of Intended Action.

These amendments are intended to implement Iowa Code sections 481A.38, 481A.39, 481A.48, 483A.1 and 483A.7.

These amendments shall become effective August 20, 2008.

The following amendments are adopted.

ITEM 1. Amend subrule 99.11(1) as follows:

99.11(1) *Who qualifies for free turkey hunting license.* ~~Owners or tenants of a farm unit, or a member of an owner's or tenant's family that resides with the owner or tenant, are eligible for free turkey licenses. The owner or tenant does not have to reside on the farm unit but must be actively engaged in farming it. Nonresident landowners do not qualify.~~

a. Owners and tenants of a farm unit and the spouse or domestic partner as defined by the Iowa department of administrative services and juvenile child of an owner or tenant who reside with the owner or tenant are eligible for free turkey licenses. The owner or tenant does not have to reside on the farm unit but must be actively engaged in farming it. Nonresident landowners do not qualify.

b. “Juvenile child” means a person less than 18 years of age or a person who is 18 or 19 years of age and is in full-time attendance at an accredited school pursuing a course of study leading to a high school diploma or a high school equivalency diploma. A person 18 years of age or older who has received a high school diploma or high school equivalency diploma does not qualify.

ITEM 2. Amend subrule 99.11(6) as follows:

99.11(6) *Where free licenses are valid.* ~~Free licenses are valid only on that portion of the farm unit that is in a zone open to turkey hunting. “Farm unit” means all parcels of land that are operated as a unit for agricultural purposes and are under lawful control of the landowner or tenant. A free license is valid only on the farm unit of the landowner or tenant. “Farm unit” means all parcels of land that are at least two contiguous acres in size, that are operated as a unit for agricultural purposes, and that are under lawful control of the landowner or tenant regardless of how that land is subdivided for business purposes. Individual parcels of land do not need to be adjacent to one another to be included in the farm unit. For purposes of obtaining a free turkey hunting license, all the land under the lawful control of a landowner and eligible family members or a tenant and eligible family members shall be considered as one farm unit, regardless of how that land is subdivided for agricultural or business purposes. “Agricultural purposes” includes but is not limited to field crops, livestock, horticultural crops (e.g., nurseries, orchards, truck farms, or Christmas tree plantations), and land managed for timber production.~~

[Filed 6/24/08, effective 8/20/08]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 7/16/08.